

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 11-31 are presently active in this case. The present Amendment amends Claim 11; and adds Claims 21-31.

The outstanding Office Action rejected Claims 11, 16, and 19-20 under 35 U.S.C. § 102(b) as anticipated by Yokocho et al. (U.S. Patent No. 6,123,216).

Claims 12-15, 17, and 18 were indicated as allowable if rewritten in independent form. Applicant acknowledges with appreciation the indication of allowable subject matter. In response, new independent Claim 25 is added and recites the feature from allowable Claim 12 that the chamber communicates with the fuel reservoir by an opening provided through the fuel reservoir. New Claims 26-31 depend from Claim 25. Therefore, Claims 25-31 are believed to be allowable. These new claims find non-limiting support in the disclosure as originally filed, for example in the original Claims 1-3, and at page 7, lines 25-32.

In order to clarify Applicant's invention, independent Claim 11 is amended to recite that the concave recess is concave on a face of the wall that *faces outside* the fuel reservoir. This feature finds non-limiting support in the disclosure as originally filed, for example at page 4, lines 11-12. In order to vary the scope of protection recited in the claims, new dependent Claims 21-24 are added. New Claims 21-24 find non-limiting support in the disclosure as originally filed, for example at page 7, lines 16-17; at page 3, line 36 and at page 4, lines 1-4. Therefore, the changes to the claims are not believed to raise a question of new matter.<sup>1</sup>

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<sup>1</sup> See MPEP 2163.06 stating that "information contained in any one of the specification, claims or drawings of the application as filed may be added to any other part of the application without introducing new matter."

In response to the rejection of Claims 11, 16 and 19-20 under 35 U.S.C. § 102(b), and in light of the present Amendment, Applicant respectfully requests reconsideration of this rejection and traverses the rejection, as discussed next.

Briefly recapitulating, Applicant's invention, as recited in independent Claim 11, relates to a fuel system for an internal combustion engine operating with a liquid fuel. The fuel system includes a fuel reservoir intended for the liquid fuel; and an additive reservoir. The additive reservoir includes a chamber formed in a concave recess of a wall of the fuel reservoir. The concave recess is *concave on a face of the wall that faces outside the fuel reservoir*.

Turning now to the applied prior art, the Yokocho et al. patent discloses a double-chamber tank with a lower split counterpart 40 provided with a lower first storage tank 41 and a lower second storage tank 42, each constituting respectively a lower half of a first storage tank 1A and a lower half of a second storage tank 1B. The first and second storage tanks are partitioned by a lower partitioning wall 45.<sup>2</sup> The outstanding Office Action identifies the lower second storage tank 42 as corresponding to the claimed additive reservoir. However, this lower storage tank 42 does not include a chamber formed in a concave recess of a wall of the fuel reservoir, the concave recess being *concave on a face of the wall that faces outside the fuel reservoir*, as now required by amended Claim 11.

Therefore, the Yokocho et al. patent fails to disclose every feature recited in Applicant's independent Claim 11, so that Claims 11-24 are not anticipated by the prior art. Accordingly, Applicant respectfully traverses, and requests reconsideration of, the 35 U.S.C. § 102 rejection based on the Yokocho et al. patent.<sup>3</sup>

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<sup>2</sup> the Yokocho et al. patent at column 5, lines 6-12.

<sup>3</sup> See MPEP 2131: "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference," (Citations omitted) (emphasis added). See also MPEP 2143.03: "All words in a claim must be considered in judging the patentability of that claim against the prior art."

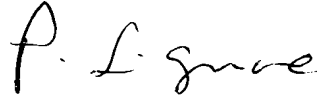
Further, there is no apparent reason to modify the Yokocho et al. tank so as to arrive at Applicant's claimed system. The position that the Yokocho et al. tank *could* be modified to arrive at the claimed system would be insufficient to establish a prima facie case of obviousness.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 11-31 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicant's undersigned representative at the below listed telephone number.

Respectfully submitted,

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